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To the Public Works and Gang Reduction Committee
Of the Honorable City Council
Of the City of Los Angeles

OCT 01 2013

Council File No. 13-1203
Council District: 14
Contact Person: Dale Williams
Phone: (213) 202-3491

Public Works and Gang Reduction Committee

Transmittal:

Transmitted herewith, is the City Engineer's report dated OCT 01 2013 for Council review and approval of:

VACATION APPROVAL - VAC- E1401225- Council File No. 13-1203 – Alley Northwesterly of Figueroa Street, Southwesterly of 8th Street.

RECOMMENDATIONS:

1. Adopt the findings of the City Engineer on the attached City Engineer report relative to initiating vacation proceedings. This vacation is exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
2. Adopt the City Engineer's report dated OCT 01 2013 with the conditions contained therein.
3. Fiscal Impact Statement:

The petitioner has paid a fee of \$14,980.00 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code may be required of the petitioner.
4. That there is a public benefit to this vacation. Upon vacation of the street, the City is relieved of its ongoing obligation to maintain the right-of-way. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved street easement.
5. There were no objections to the vacation submitted for this project.



Attachment:



Edmond Yew, Manager
Land Development Group
Bureau of Engineering

EY/DW/
H:\

Office of the City Engineer

Los Angeles, California

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

OCT 01 2013

Honorable Members:

C. D. No. 14

SUBJECT:

VACATION APPROVAL - VAC- E1401225- Council File No. 13-1203 -- Alley
Northwesterly of Figueroa Street, Southwesterly of 8th Street.

RECOMMENDATIONS:

- A. That street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right-of-way indicated below and shown colored blue on the attached Exhibit “A”:
- The 5-foot and 10-foot wide alley northwesterly of Figueroa Street and southwesterly of 8th Street, adjoining Lot 2 of Tract 2721 and Lot 11 of “Potter’s Subdivision of Block 3 of Nichol’s Addition to West Los Angeles Also Lots 26 and 27 of Meyer’s Subdivision of Block 4”.
- B. That the Council find that the vacation is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City’s Environmental Guidelines.
- C. That the City Council find that there is a public benefit to this street vacation. Upon vacation of the street, the City is relieved of its ongoing obligation to maintain the street. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved street easements.
- D. That, in conformance with Section 556 of the City Charter, the Council make the finding that the vacation is in substantial conformance with the purposes, intent and provisions of the General Plan.
- E. That, in conformance with Section 892 of the California Streets and Highways Code, the Council determine that the vacation area is not necessary for non-motorized transportation facilities.

- F. That, in conformance with Section 8324 of the California Streets and Highways Code, the Council determine that the vacation area is not necessary for present or prospective public use.
- G. That the Council adopt the City Engineer's report with the conditions contained therein.
- H. That the City Clerk schedule the vacation for public hearing at least 30 days after the Public Works Committee approval so the City Clerk and Bureau of Engineering can process the Public Notification pursuant to Section 8324 of the California Streets and Highways Code.

FISCAL IMPACT STATEMENT:

The petitioner has paid a fee of \$14,980.00 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code will be required of the petitioner.

Maintenance of the public easement by City forces will be eliminated.

NOTIFICATION:

That notification of the time and place of the Public Works Committee and the City Council meetings to consider this request be sent to:

1. The McCarty Company, LLC
ATTN: Tom McCarty
700 S Flower St., Ste 1100
Los Angeles CA 90017
2. L&R 845 Figueroa I, LLC
827 S Figueroa St.
Los Angeles CA 90017
3. L&R 845 Figueroa II, LLC
827 S Figueroa St.
Los Angeles CA 90017
4. Mani Brothers 801 Tower
9200 W Sunset Bl. Ste 555
West Hollywood CA 90069

CONDITIONS:

The Conditions specified in this report are established as the requirements to be complied with by the petitioner for this vacation. Vacation proceedings in which the conditions have not been completed within 2 years of the Council's action on the City Engineer's report shall be terminated, with no further Council action.

1. That any fee deficit under Work Order E1401225 be paid.
2. That a suitable map, approved by the Central District Engineering office, delineating the limits, including bearings and distances, of the area to be vacated be submitted to the Land Development Group prior to the preparation of the Resolution to Vacate.
3. That a suitable legal description describing the area being vacated and all easements to be reserved, including copies of all necessary supporting documentation, be submitted to the Land Development Group of the Bureau of Engineering prior to preparation of the Resolution to Vacate.
4. That a title report indicating the vestee of the underlying fee title interest in the area to be vacated be submitted to the City Engineer.
5. That the following dedications be provided adjoining the petitioner's property in a manner satisfactory to the City Engineer
 - a. Dedicate 15 feet as public street along the northwesterly side of Figueroa Street to complete a 55-foot wide half right-of-way, in accordance with the Modified One Way Major Highway Class II Standard.
 - b. Dedicate an average 9-foot wide sidewalk easement along the northwesterly side of Figueroa Street, in accordance with the Downtown Street Standards.
6. That the following improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:
 - a. Construct a 40-foot wide half roadway, integral curb and gutter, and 15-foot sidewalk on the northwesterly side of Figueroa Street, with proper transitions to existing improvements.
 - b. Repair and/or replace any broken, off-grade, or missing curb, gutter, and sidewalk along Francisco Street, and 8th Place.

7. That arrangements be made with all utilities agencies maintaining facilities in the area including but not limited to the Department of Water and Power, AT & T, and Southern California Gas Company for the removal of affected facilities or the providing of easements or rights for the protection of affected facilities to remain in place.
8. That consent to the vacation be secured from the owner of Lot 1 of Tract 2721, of Tract 10052, and of Lots 7,8, and 9 of "Potter's Subdivision of Block 3 of Nichol's Addition to West Los Angeles also Lots 26 and 27 of Meyer's Subdivision of Block 4" adjoining the area to be vacated.
9. That upon the reviews of the title report identifying the underlying fee title interest of the vacation area, an agreement be recorded satisfactory to the Bureau of Engineering to hold each parcel of land under the same ownership and its adjoining portion of the area to be vacated, as one parcel to preclude the creation of substandard or landlocked parcels. This is to remain effective until such time as a new subdivision map is recorded over said area, a parcel map exemption is permitted or until released by the authority of the City of Los Angeles.
10. That street lighting facilities be installed as required by the Bureau of Street Lighting.
11. That street trees be planted and tree wells to be installed as may be required by the Urban Forestry Division of the Bureau of Street Services.

TRANSMITTAL:

Application dated April 18, 2013, from Tom McCarty.

DISCUSSION:

Request: The petitioner, Tom McCarty, representing L&R 845 Figueroa I, LLC and L&R 845 Figueroa II, LLC the owners of the properties shown outlined in yellow on Exhibit "A", is requesting the vacation of the public alley area shown colored blue. The purpose of the vacation request is to complete the vacation of the alley to eliminate a portion of the alley with no other access to the public right-of-way.

This vacation procedure is being processed under procedures established by Council File No. 01-1459 adopted by the Los Angeles City Council on March 5, 2002.

Resolution to Vacate: The Resolution to Vacate will be recorded upon compliance with the conditions established for this vacation.

Previous Council Action: The City Council on September 17, 2013, under Council File No. 13-1203 adopted a Rule 16 Motion initiating street vacation proceedings.

The City Council under Council File 84-1219 approved the vacation of the alley northwesterly of Figueroa Street from 8th Street to 222.5 feet southwesterly thereof, and allowed the owners of the adjoining properties to proceed with the vacation conditions separately from the petitioner. A portion of the alley was vacated under Resolution to Vacate 90-1578110, adopted by Council on August 24, 1990 and recorded with the County of Los Angeles on September 13, 1990. The portion of the alley currently being vacated was not vacated at that time.

Zoning and Land Use: The properties adjoining the area to be vacated to the north, south, east and west are zoned C2-4D and are developed with commercial buildings and parking facilities.

Description of Area to be Vacated: The area sought to be vacated is the alley northwesterly of Figueroa Street southwesterly of 8th Street. The alley is a remnant portion of the alley from 8th Street to 222.5 feet southwesterly thereof that was not included in the Resolution to Vacate 90-1578110, adopted by Council on August 24, 1990 and recorded with the County of Los Angeles on September 13, 1990. The area is currently paved and is used as part of the parking facilities for the adjoining property. It is currently inaccessible from any other public right-of-way.

Adjoining Streets: Figueroa Street is a Modified One-Way Major Highway Class II dedicated 90 feet wide and improved with a 46-foot wide half roadway, curbs and gutters, and 12-foot wide sidewalks. Francisco Street is a Collector Street dedicated 60 feet wide and improved with a 40-foot wide roadway, curbs and gutters, and 10-foot wide sidewalks. 8th Place is a non-continuous Local Street, dedicated 47 feet wide, with a 20-foot wide half right-of-way, and improved with a 34-foot wide roadway, with a 14-foot wide half-roadway, curb and gutter and 6-foot wide sidewalk adjoining the petitioner's property.

Surrounding Properties: The owners of lots adjoining the vacation area have been notified of the proposed vacation.

Effects of Vacation on Circulation and Access: The vacation of the alley northwesterly of Figueroa Street southwesterly of 8th Street will not have an adverse impact on circulation since it is currently not accessible from any other public right-of-way. All adjoining properties have access from the surrounding streets and no access is taken from the remaining alley.

The alley is also not needed for the use of pedestrians, bicyclists or equestrians.

Objections to the vacation: There were no objections to the vacation submitted for this project.

Reversionary Interest: No determination of the underlying fee interest of the vacation area has been made as to title or reversionary interest.

Dedications and Improvements: It will be necessary that the petitioner provide for the dedications and improvements as outlined in the conditions of this report. The existing structure along Francisco Street precludes additional street dedication at this time.

Sewers and Storm Drains: There are no existing sewer or storm drain facilities within the area proposed to be vacated.

Public Utilities: The Department of Water and Power maintains facilities in the area proposed to be vacated. Southern California Gas Company and AT&T did not respond to the Bureau of Engineering's referral letter dated May 1, 2013.

Tract Map: Since the required dedications can be acquired by separate instruments and the necessary improvements can be constructed under separate permit processes, the requirement for the recordation of a new tract map could be waived. However, it will be necessary that the petitioner record an agreement satisfactory to the Bureau of Engineering to hold each adjoining parcel of land under the same ownership and its adjoining portion of the area to be vacated, as one parcel to preclude the creation of substandard or landlocked parcels. This is to remain effective until such time as a new subdivision map is recorded over the area, a parcel map exemption is permitted or until released by authority of the City of Los Angeles.

City Department of Transportation: The Department of Transportation did not respond to the Bureau of Engineering's referral letter dated May 1, 2013.

City Fire Department: The Fire Department stated in its communication dated May 20, 2013 that it has no objection to the alley vacation.

Department of City Planning: The City Planning Department in its communication dated July 19, 2013 stated that the vacation of the alley is consistent with the intents and purposes of the City's General Plan, and consistent with the Central City Community Plan's goal of facilitating continuity and cohesiveness along commercial frontages.

Conclusion: The vacation of the public alley area as shown colored blue on attached Exhibit "A" could be conditionally approved based upon the following:

1. It is unnecessary for present or prospective public use.
2. It is not needed for vehicular circulation or access.
3. It is not needed for non-motorized transportation purposes.

Report prepared by:


LAND DEVELOPMENT GROUP

Dale Williams
Civil Engineer
(213) 202-3491

EY/DW /

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Respectfully submitted,


Edmond Yew, Manager
Land Development Group
Bureau of Engineering

APPLICATION FOR VACATION OF PUBLIC RIGHT OF WAY

ORIGINAL - (No copies or faxes)

DATE: 4/18/13

PROJECT LOCATION AND DESCRIPTION:

(1) Area proposed to be vacated is: 827 South Figueroa Street
(Street/Avenue/Boulevard/alley/walk: N/S/E/Wof)

and is located between:

Francisco Street and Figueroa Street
(Street, Avenue, Boulevard or other limit) (Street, Avenue, Boulevard or other limit)

• Attach a map if necessary.

(2) The vacation area lies within or is shown on:

(a) Engineering District: (check appropriately)

Central () Harbor () Valley () West Los Angeles

(b) Council District No. 14

(c) District Map No. 129A207

(d) A CRA Redevelopment Area: _____ OR No
(YES) (NO)

(3) Area (in sq. ft.) of the proposed vacation area is approx. 626 sq. ft. If over 10,000 sq. ft. of buildable area, the vacation is not categorically exempt from the California Environmental Quality Act Guidelines and will require a higher level of environmental review. Contact a vacation staff member to discuss the effect of this on the processing of your application prior to submittal. If the applicant is required to have an environmental determination performed by the Bureau of Engineering Environmental Management Group, the applicant must submit an additional \$30,000 fee deposit. This will also increase the processing time by approximately 6 months.

• If the vacation is located within a Coastal Development Zone, a Coastal Development Permit will be required for the project. The applicant should be aware that vacations within a Coastal Development Zone will take longer to process and will be considerably more expensive. If the applicant is required to have a Coastal Development Permit processed by the Bureau of Engineering Environmental Management Group, the applicant must submit an additional \$30,000 fee deposit.

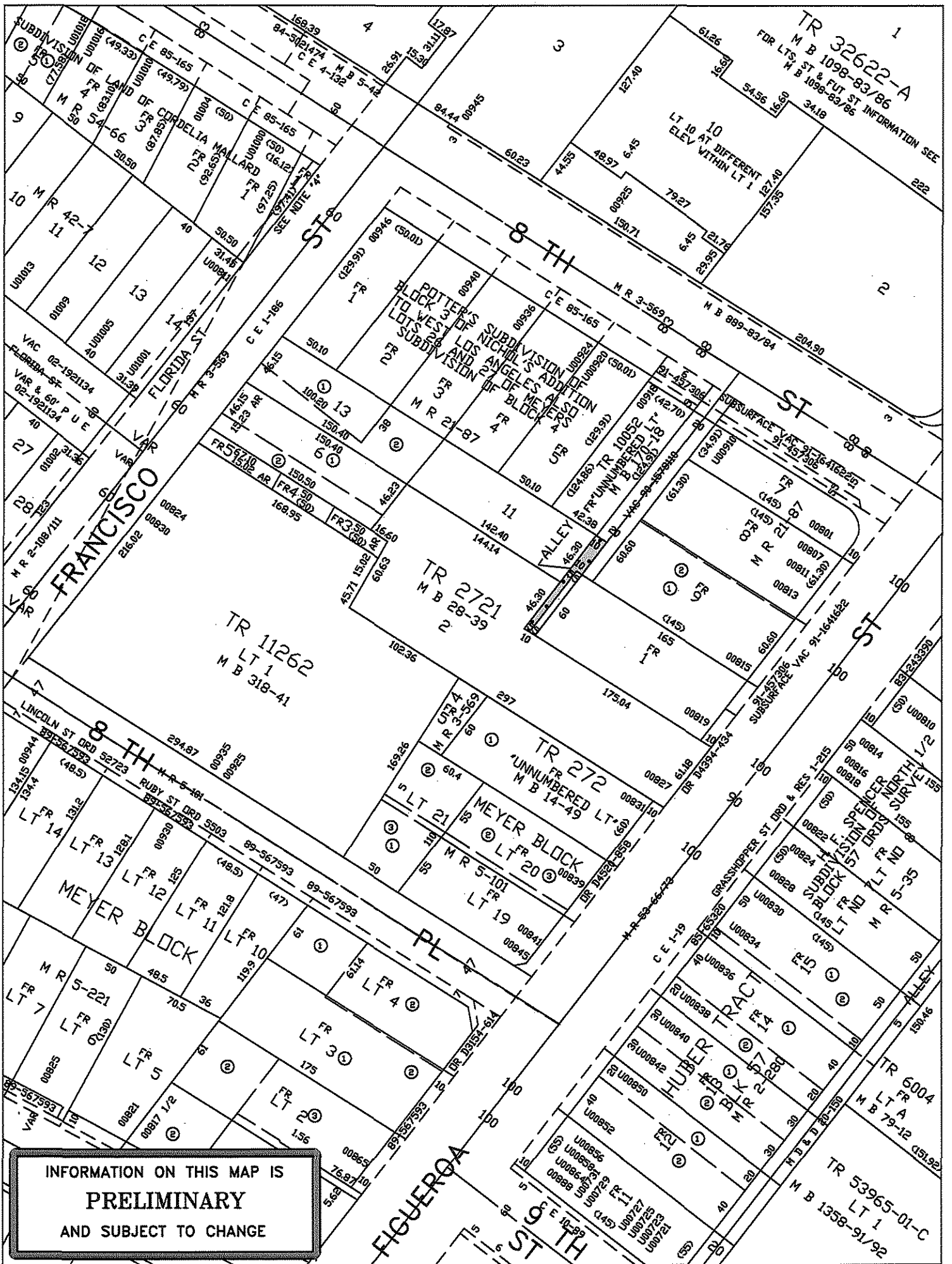
• Some city agencies, including LADOT, may require additional fees to be deposited to cover costs during the referral and investigation process. The applicant is responsible for paying the fees to the agency directly. Referral fees paid to other city agencies are separate from the Bureau of Engineering processing fees.

• If the proposed vacation is only for a portion of the Right-of-Way or a partial block, contact a vacation staff member prior to submitting application.

(4) Purpose of vacation (future use of vacation area) is: Complete alley vacation approved in VAC-21749 C.F. 84-1219 to eliminate parcel with no access to public right of way

(5) Vacation is in conjunction with: (Check appropriately)

() Revocable Permit () Tract Map () Parcel Map () Zone Change
() Other _____



TITLE: PORTION OF ALLEY NORTHWESTERLY OF FIGUEROA STREET AT 827 S. FIGUEROA STREET, ADJOINING LOTS 2 AND 11

WORK ORDER NO. VAC- E1401225
 COUNCIL FILE NO. 13-1203
 COUNCIL DIST. 14 DIV. INDEX 114
 ENG. DIST. CENTRAL T.G. 634-E4
 DISTRICT MAP 129A207



DEPT. OF PUBLIC WORKS
 BUREAU OF ENGINEERING
 CITY OF LOS ANGELES

